



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No.: MBHB02-763-B 400.129)

In the Application of:

McSwiggen, et al)
Serial No.: 10/667,271)
Filed: September 16, 2003)
For: RNA Interference Mediated Inhibition)
Of Hepatitis C Virus (HCV) Gene)
Expression Using Short Interfering)
Nucleic Acid (siNA))

Art Group: 1632

Examiner: Not assigned

Confirmation No. 8658

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.821(f)

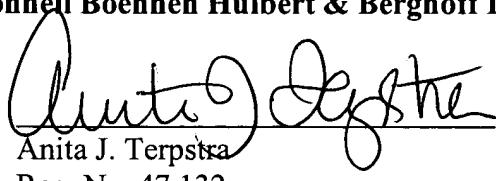
Sir/Madam:

The undersigned representative hereby declares that the content of the electronic copies of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2), in lieu of the paper copy under 37 C.F.R. § 1.821(c), and computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. §1.821(e), are identical in content. The sequence listing submitted herewith does not extend beyond the scope of the specification, and thus, does not contain new matter. The CD-R labeled "CRF of Sequence Listing submitted under 37 C.F.R. § 1.821(e)" contains an IBM compatible dos-text file of the sequence listing named "02-763-B Sequence Listing.txt".

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

By:



Anita J. Terpstra
Reg. No. 47,132

Dated: March 29, 2004



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TRANSMITTAL LETTER

Sir:

1. The Compact Disc contained herein ("02-763-B Sequence Listing") submitted under 37 C.F.R. § 1.52(e):

- Is formattted for IBM-PC Machines
- Is compatible with MS-Windows Operating System
- Contains the file "02-763-B Sequence Listing.txt" which is 528KB in size and was created on 03/16/2004.

2. Statement under 37 C.F.R. § 1.821(f): The undersigned certifies that the original CD-R submitted herein, titled "02-763-B Sequence Listing" (COPY 1) and the copy CD-R entitled "02-763-B Sequence Listing" (COPY 2) are identical in content as required by C.F.R. § 1.52(e)(4).

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

By:


Anita J. Terpstra
Reg. No. 47,132

Dated: March 21, 2004

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